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San Marino, Huntington Library, HM 01343

Description: ff. 102 - Bound, s. XIX, in English polished brown calf, ruled in blind; same binding on HM 127 and 1342. - Written in France in the first half of the fourteenth century. Belonged to Edward Herbert, first Baron Herbert of Cherbury (1583-1648), whose calligraphic monogram, "E" superimposed on an "H," appears on f. 1, along with the indication of price. He bequeathed his Latin and Greek printed books to Jesus College, Oxford; see C. J. Fordyce and T. M. Knox, "The Library of Jesus College, Oxford," *Proceedings of the Oxford Bibliographical Society* 5 pt. 2 (1937) 53-115; the plate following p. 72 shows Herbert's monogram and price notation. His manuscripts were left to his grandson, Edward, the third Baron; later they belonged to George Charles Herbert, 4th Earl of Powis (1862-1952); his sale, Sotheby's, 20 March 1923, n. 199 to A. S. W. Rosenbach; acquired from him by Henry E. Huntington in February 1926. - C. W. Dutschke with the assistance of R. H. Rouse et al., *Guide to Medieval and Renaissance Manuscripts in the Huntington Library* (San Marino, 1989). De Ricci, 106. *Legal Manuscripts*, n. 4.

Number of Parts: 1 - *Number of Images Available:* 0

Direct Link: http://ds.lib.berkeley.edu/HM01343_43

Language: French Latin *Country:* France *Century:* 14th

Gallery of Images for this Manuscript: http://dpg.lib.berkeley.edu/webdb/dsheh/heh_br?CallNumber=HM+1343

Part 1: ff. 1-102v

Description: - Parchment - 160 x 220 mm - 1-12⁸ 13⁶. Catchwords in lower right corner, enclosed in frames, usually retraced in red; quires and leaves signed in red with letters of the alphabet and roman numerals; an arabic "2" marks the beginning of the second half of the quire. 2 columns of 27 lines, ruled in lead with single bounding lines, and all horizontal lines full across. Pricking visible in upper and lower margins, slash form. Text written between, not on, the lines. On ff. 19-20, 2 columns of 48 lines.

Country: France

Cardinal point:

Region:

City:

Assigned Date: s. XIV¹

Searchable Date Range: 1300 - 1350

Dated by scribe: No

Inscribed Date:

Document: No

Number of Scribes: ;

Script: Gothic

Other Decoration: Space reserved, f. 1, ca. 90 × 120 mm., presumably for a miniature. Opening initial, f. 1, 5-line, parted blue and pale green with red leaf filigree as infilling; secondary initials, 2-line, alternating red with purple penwork or blue with red. On ff. 19v-20, tables of consanguinity.

Notes: Latin

Number of Texts: 4

Text 1: ff. 1-89v

Title: Grand Coutumier

Title: De iure

Language(s): Latin

Incipit: Ius itaque quoddam est naturale

Explicit: usque ad quindecimum diem post submonitionem factam. Explicit textus consuetudinum normannorum.

Notes: The text generally corresponds to that published by E. J. Tardif, *Coutumiers de Normandie*, vol. 2, "La Summa de Legibus Normannie in curia laicali" (Rouen-Paris 1896, repr. Geneva 1977) 2-341; it contains the end of the chapter "De lege apparenti" and the chapter "De prescriptione" (third family). On ff. 18v-20, the treatise of consanguinity with tables, beginning "Quia tractare intendimus de consanguinitate et eius gradibus de arboribus consanguinitatis exponere ad eius evidenciam pleniorum . . ."; in the margins, by the same scribe as the main text, are decisions of the Exchequers of Falaise, Rouen and Caen, and a few of the Parliament of Paris, dating up to 1299; also in the margins: on f. 68r-v, letter of the prelates of Normandy to Philip Augustus on matters of patronage, for which see A. Teulet, *Layettes du Trésor des Chartes* (Paris 1863-66) 1:310-11, n. 828; on f. 76, ordinance of St. Louis on tithes (here, March 1279) and the relative document of Philip IV (1294), for both, see *Ordonnances des Roys de France de la Troisième Race*, vol. 1, ed. E. J. de Laurière (Paris 1723) 102-03 and 325. The first prologue (printed by Tardif, op. cit., pp. 1-2, "Cum nostra sit intentio in presenti opere iura et instituta normannie in quantum poterimus declarare . . .") and the chapter list were added to the manuscript in another hand on ff. 101v-102v. The second prologue ("Cum ineffrenare cupiditatis malicia humanum genus ardore suo insaciabili teneat irretitum . . .") is copied as part of the text, on f. 1r-v.

Text 2: ff. 89v-97v

Title: Decisions of the Exchequers of Falaise, Rouen and Caen

Language(s): Latin

Notes: For the years 1207-1237. Similar groups of texts edited by L. A. Warnkoenig, *Französische Staats- und Rechtsgeschichte* (Basel 1848) 2:70-119.

Text 3: ff. 98-100v

Title: Proceedings of the assize of Rouen

Language(s): Latin

Notes: For the year 1205. Cf. Léchaudé d'Anisy, "Grands rôles des Echiquiers de Normandie," *Mémoires de la Société des Antiquaires de Normandie* 15 [1841?] 151-68.

Text 4: ff. 100v-01v

Title: Exchequer in Rouen

Language(s): French

Notes: Exchequer, session of Michaelmas, 1282, and in Rouen, 1291, added by another hand, in French.

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